

**REMARKS/ARGUMENTS**

Claims 23, 24, 28 and 30-32 now stand in the present application, claims 23, 28, 30 and 32 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has rejected claims 23-24 and 28 under 35 U.S.C. § 102(e) as being anticipated by Ogata et al. and Shimada et al. and claims 23-24 and 30-32 under 35 U.S.C. § 102(e) as being anticipated by Suzuki. In view of the above-described claim amendments, the Examiner's § 102(e) rejections of the claims are believed to have been overcome, as will be described in greater detail below.

Applicant's inventions are directed to a semiconductor device having ferroelectric thin films constructed of multiple layers. In Applicant's inventions, the multiple layers are each individually comprised of crystal grains of a uniform size. Thus, for example, as recited in claim 23, the crystal grain layer of the uppermost layer is uniformly smaller than a crystal grain layer of the intermediate layer. More particularly, the uppermost layer has crystal grains all of a uniform size that are smaller than the uniform crystal grains of the intermediate layer.

In order to emphasize this distinction, Applicant has amended all of the present claims 23, 24, 28 and 30-32 to recite the uniformity of crystal grains within a particular layer. Since the cited references do not teach or suggest multiple layers each of which are formed of uniformly sized crystal grains, all of the present claims are believed to patentably define over the cited references. More particularly, neither Ogata et al., Shimada et al. or Suzuki teach or suggest a multiple layered thin film construction wherein each of the multiple layers is formed from crystal grains each having the same

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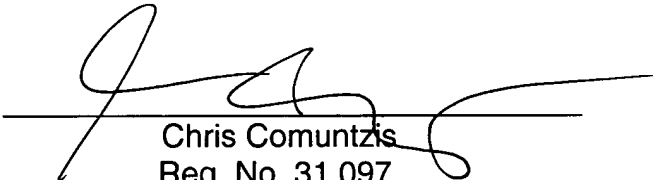
size within the particular layer. This can easily be seen in the referenced figures attached by the Examiner in the outstanding Office Action.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 23, 24, 28 and 30-32, now standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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